

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOUGLAS MARSHALL *et al.*,  
*Plaintiffs*

v.

PETER C. AMUSO *et al.*,  
*Defendants*

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CIVIL ACTION

No. 21-4336

**ORDER**

AND NOW, this 2nd of June, 2022, upon consideration of Defendants' Motion to Dissolve Preliminary Injunction (Doc. No. 76), Plaintiffs' Response (Doc. No. 81), Defendants' Reply (Doc. No. 82), and Plaintiffs' Sur-Reply (Doc. No. 83), it is hereby **ORDERED** that the Motion (Doc. No. 76) is **GRANTED** and the preliminary injunction (Doc. No. 53) is **DISSOLVED WITHOUT PREJUDICE** to Plaintiffs filing a renewed motion for injunctive relief should circumstances change.<sup>1</sup>

BY THE COURT:

  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court imposed a preliminary injunction preventing Pennsbury School Board from enforcing certain policies at its board meetings to limit speech because Plaintiffs were likely to succeed in establishing viewpoint discrimination in violation of the First Amendment. "The standard that the district court must apply when considering a motion to dissolve an injunction is whether the movant has made a showing that changed circumstances warrant the discontinuation of the order." *Twp. of Franklin Sewerage Auth. v. Middlesex Cnty. Utils. Auth.*, 787 F.2d 117, 121 (3d Cir. 1986). Here, the parties agree that the Board has replaced the policies that were the subject of the preliminary injunction with a new policy that "avoids policing viewpoints and focuses instead on maintaining time limits, and preventing imminent threats of harm and legally obscene speech." Doc. No. 81, at 2; *see also Karnoski v. Trump*, 926 F.3d 1180, 1199 (9th Cir. 2019) (finding "the requisite threshold showing of a significant change in facts" where the defendants replaced the challenged policy after the court issued a preliminary injunction). Based on this change, Plaintiffs do not oppose the dissolution of the preliminary injunction. The Court will dissolve the preliminary injunction.